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250558Z Aug 04

UNCLAS LAGOS 001744

SIPDIS

TRANSPORTATION FOR FAA

SENSITIVE BUT UNCLASSIFIED

E.O. 12958: N/A

TAGS: [FAIR](#) [EINV](#) [NI](#)

SUBJECT: NIGERIA: ONE YEAR AWAY FROM CATEGORY 1?

1.(SBU) Summary. Visits to Lagos by FAA Senior Representative for Sub-Saharan Africa, Edward Jones, and the Department of Homeland Security Transportation Security Administration (TSA) Program Managers, David [1](#)K. Taylor and Ed Rao, again bring to the fore the possibility of Category 1 status for Nigeria. In terms of safety and security, Nigeria still has months of work ahead to meet International Civil Aviation Organization (ICAO) and FAA requirements for Category 1 status and to fly a Nigerian carrier directly to the US. End Summary.

[1](#)2. (U) During an August 3rd visit to Nigeria, FAA senior representative Jones and Nigerian Civil Aviation Authority official (NCAA) discussed FAA and ICAO recommendations that safety oversight responsibilities be separated from the Ministry of Aviation (MOA) and ceded to the NCAA. The current organizational structure places the NCAA under the direct and close financial control and authority of MOA. A requisite step in Nigeria's progress towards Category 1 status is the passage of a civil aviation bill that grants NCAA significant autonomy from the MOA.

[1](#)3. (SBU) Jones reviewed a draft Nigerian civil aviation bill that has been languishing in the National Assembly for more than a year. He believes that, in its current form, this draft bill does not provide NCAA sufficient autonomy. (A copy of the draft has been forwarded to FAA legal advisors who will provide an opinion on the draft bill within the next few weeks.) Nigeria's acceptance of these recommendations and the subsequent passage of a new bill is likely to take time thus drawing out the country's safety preparations for Category 1. Besides the lengthy process of approving a bill, MOA Isa Yuguda told Jones that the NCAA DG will never gain budgetary separation from the MOA even if aviation safety regulatory powers are ceded to NCAA.

[1](#)4. (SBU) The NCAA assures Jones that Nigeria will be ready for a Category 1 final review in October 2004. Even with swift passage of a curative aviation bill, Jones believes it will take somewhat longer primarily because of low salaries for inspectors and the resultant continuous turnover in personnel at this position. (Comment: The timeline for safety preparation for Category 1 is actually much longer if we take into consideration the fact that current NCAA aviation safety regulations will also have to be reviewed to make sure they conform with the ICAO-compliant civil aviation bill once and if it passes.)

[1](#)5. (U) Security practices at Murtalla Mohammed International Airport (MMIA) are gauged to be about one year away from Category 1 compliance. After their second visit to the Federal Airport Authority of Nigeria (FAAN) in as many months, TSA officials Taylor and Rao again left MMIA reporting deficiencies in FAAN's progress towards ICAO standards. The TSA officials will be distributing a report of their findings. In a June conversation with Ambassador Campbell, Taylor and Rao asserted that it would be optimistic to say FAAN could be ready in one year's time - even assuming no further bureaucratic interferences and other stumbling blocks that have plagued Category 1 preparation to date. And FAAN would then require another 12 months of hand-holding by TSA to ensure continued compliance.

[1](#)6. (SBU) Comment: The combined safety and security unpreparedness of Nigeria's civil aviation sector for ICAO approval indicates that Nigeria is unlikely to obtain Category 1 status within the next 365 days. Conversations with FAA and TSA officials reveal that Nigeria's aviation hurdles continue to be numerous and, to a large degree, organizational. As a result, Nigerians will have to rely on foreign flag carriers for direct flights to the US for the foreseeable future. End Comment.

